

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard E. Vogel

For: CONFECTION CUP ASSEMBLY

Serial No.: 09/681,099

Examiner: Joseph C. Merek

Filed: January 1, 2001

Group Art Unit: 3727

Atty. Docket: 70254-328

Confirmation No.: 8152

## CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

☐ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, Washington, DC 20231

☒ transmitted by facsimile to the Patent and Trademark Office, to Examiner Merek at Technology Center 3702 at (703) 746-4232.

Signature

Andrea R. Wolters

(type or print name of person certifying)

Date: April 17, 2002

Commissioner for Patents  
Washington, D.C. 20231

Sir:

AMENDMENT AND RESPONSE TO OFFICE ACTION

Responsive to the Office Action mailed January 17, 2002, kindly amend the above-identified U.S. patent application as follows:

In the Claims:

Kindly cancel claims 33, 39, 40, 41, 44 and 47-51, without prejudice. Kindly amend claims 17, 34, 42-43, 45 and 46 as shown below. A marked-up version of the claims showing the amendments made is attached as Appendix A.

Sub F1  
a

17. (Amended) The confection cup assembly according to claim 1, the friction enhancer is a longitudinal rib extending away from an interior surface of the sleeve.

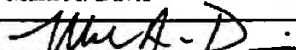
01 FC:183

342.00 CH

02 FC:182

336.00 CH

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>FEE TRANSMITTAL</b> for FY 2002 <i>Patent fees are subject to annual revision.</i>				<b>Complete if Known</b>																																																																																																																																																																																							
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1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:  Deposit Account Number: <span style="border: 1px solid black; padding: 2px;">50-2003</span> Deposit Account Name: <span style="border: 1px solid black; padding: 2px;">McGarry Bair LLP</span>  <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				<b>3. ADDITIONAL FEES</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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Name (Print/Type)		Mark A. Davis		Registration No. (Attorney/Agent)		Reg. No. 37,118																																																																																																																																																																																					
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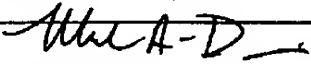
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		<b>Application Number</b>	681,099
		<b>Filing Date</b>	January 4, 2001
		<b>First Named Inventor</b>	Richard E. Vogel
		<b>Group Art Unit</b>	3727
		<b>Examiner Name</b>	Joseph C. Merek
<b>Total Number of Pages in This Submission</b>	<b>B</b>	<b>Attorney Docket Number</b>	70254-328

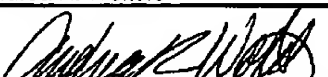
ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure(s) (please identify below): Appendix for Amendment
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	McGARRY BAIR LLP Mark A. Davis, Reg. No. 37,118
Signature	
Date	April 17, 2002

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being transmitted to Examiner Joseph C. Merek at the United States Postal Service via facsimile sent to 703-746-4232 on this date: April 17, 2002

Typed or printed name	Andrea R. Wolters		
Signature		Date	April 17, 2002

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